

MILA CARLSON, RN, Ph.D.

November 9, 2011

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RAY A. FOX, by and)
through his Guardian,)
ROSE FOX,)
Plaintiff,)
-vs-) Case No. 09 C 5453
DR. CONSTANTINE PETERS,) Judge Holderman
et al.,) Magistrate Judge
Defendants.) Brown

The deposition of MILA CARLSON, RN, Ph.D., called for examination, taken pursuant to the Federal Rules of Civil Procedure of the United States District Courts pertaining to the taking of depositions, taken before KATHLEEN A. MARTHALER, CSR No. 84-4036, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, at Suite 1300, 33 North Dearborn Street, Chicago, Illinois, on the 9th day of November, A.D., 2011, commencing at 1:00 p.m.



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1 A. At Warren, no.

2 BY MR. CHARYSH:

3 Q. How long would the exams be typically?

4 A. They allowed three hours.

5 Q. And where would you take them?

6 A. Swedish American Hospital at one of the
7 satellite locations where the proctor was located.

8 Q. As you sit here today, are you aware of
9 the fact that it's actually a crime in several
10 states to list the fact that you have a degree from
11 Warren if you're trying to disseminate materials in
12 your profession?

13 A. No.

14 (WHEREUPON, a certain document was
15 marked Carlson Deposition Exhibit
16 No. 5, for identification, as of
17 11/09/2011.)

18 BY MR. CHARYSH:

19 Q. Take a look at what we've marked as
20 Exhibit No. 5, which is in the State of Oregon,
21 which I obtained on November 8th of this year.

22 And after you've had a chance to look at
23 it, I'm going to ask you a few questions.

24 (Short pause.)

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1 THE WITNESS: What does the heading on the top
2 say? I can't read it.

3 MR. CHARYSH: That I'm not sure. It was cut
4 off, but it is from www.osac.state.or.us, which has
5 to do with the Oregon Department of Education, I
6 believe.

7 When you're done with the first page,
8 just let me know because that's what we're going to
9 talk about.

10 (Short pause.)

11 BY MR. CHARYSH:

12 Q. Do you see the paragraph where it reads,
13 quote: "In addition, an individual using an
14 unaccredited degree, even if the employer allows use
15 of such degree, must disclose on resumes,
16 letterheads, business cards, announcements and
17 advertisements that," quote, (Insert the name of the
18 school), "does not have an accreditation recognized
19 by the United States Department of Education and has
20 not been approved by the Office of Degree
21 Authorization," closed quote?

22 Do you see what I'm reading from?

23 A. Yes.

24 Q. And then further down, it says: "It is a



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1 Class B Misdemeanor under the Oregon Criminal Code
2 to use a degree in violation of ORS 348.609," which
3 is the statute they're citing above.

4 Do you see what I'm talking about?

5 A. Yes.

6 Q. Anywhere on the materials that you have
7 on the internet, the two websites we talked about,
8 is that representation made?

9 A. No.

10 Q. So I could access those on the internet
11 in the state of Oregon and that representation would
12 not come up, that your degree from Warren is from an
13 unaccredited institution, true?

14 A. Yes.

15 Q. Have you ever done business as a
16 consultant in the state of Oregon?

17 A. No.

18 Q. Have you ever received an inquiry from
19 anyone in the state of Oregon?

20 A. Not that I recall.

21 Q. Do you believe that after reading this,
22 you should make that representation on your website?

23 MS. HILL: Objection.

24 Do you have a copy of the statute?



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1 MR. CHARYSH: Not with me, no.

2 The citation is there, and it's cited in
3 the text which is written there.

4 MS. HILL: Right, but you're asking whether
5 she's -- if it's applying to the law that she's only
6 read. I mean, there's a representation about the
7 statute, but --

8 MR. CHARYSH: Sure.

9 We're all presumed to know the law.

10 BY MR. CHARYSH:

11 Q. Now, if you look at the list of schools
12 that they list in this exhibit as being unaccredited
13 and subject to this, on Page 15 of 16, it lists
14 Warren National University, true?

15 A. Yes.

16 Q. And it shows it's in Wyoming, true?

17 A. Yes.

18 Q. And then it says: "New name for Kennedy
19 Western University," true?

20 A. Yes.

21 Q. So that refers to the Warren National you
22 attended, true?

23 A. Yes.

24 Q. After reading this, do you think that you

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1 should put a disclaimer on your website about your
2 Ph.D.?

3 A. I would have to do more research.

4 Q. All right. So you don't know right now,
5 true?

6 A. True.

7 MR. CHARYSH: I'll mark this as the next one.

8 (WHEREUPON, a certain document was
9 marked Carlson Deposition Exhibit
10 No. 6, for identification, as of
11 11/09/2011.)

12 MR. CHARYSH: Why don't you read the first
13 page, and after you've had a chance to look at it,
14 I'm going to ask you some questions.

15 (Short pause.)

16 MR. CHARYSH: Are you ready?

17 THE WITNESS: Yes.

18 BY MR. CHARYSH:

19 Q. Okay. Now, this was obtained from the
20 Texas Higher Education Coordinating Board off of
21 their website on November 8th, 2011, and this
22 section is entitled: "Institutions Whose Degrees
23 are Illegal to Use in Texas."

24 Do you see what I'm referring to?

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1 A. Yes.

2 Q. Have you ever been hired as a consultant
3 in Texas?

4 A. No.

5 Q. Have you ever had an inquiry from someone
6 seeking to hire you calling from Texas?

7 A. Not that I recall, no.

8 Q. And the two websites that we referenced
9 earlier, you can access those from the state of
10 Texas, can't you?

11 A. Yes.

12 Q. Now, in the first paragraph of Page 1, it
13 tells us: "The Texas Higher Education Coordinating
14 Board annually reviews the institutions included on
15 this list."

16 Do you see what I'm referring to?

17 A. Which?

18 Q. The end of the first paragraph under
19 "Institutions Whose Degrees are Illegal to Use in
20 Texas."

21 A. Yes.

22 Q. Then under that, it says: "A fraudulent
23 or substandard degree means a degree conferred in
24 Texas in violation of the Texas Education Code;

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1 conferred at another state in violation of that
2 state's laws; conferred in another state by an
3 institution that was not accredited by an accreditor
4 recognized by the Coordinating Board and that has
5 not been approved by the Coordinating Board for its
6 degrees to be used in Texas; or conferred outside
7 the United States by an institution that the
8 Coordinating Board determines is not the equivalent
9 of an accredited or authorized degree."

10 Do you see what I'm referring to?

11 A. Yes.

12 Q. And under that, it says: "Under the
13 Texas Penal Code, Section 32.52 prohibits the use of
14 fraudulent or substandard degrees," quote, "in a
15 written or oral advertisement or other promotion of
16 a business with the intent to obtain employment;
17 obtain a license or certificate to practice a trade,
18 profession or occupation; obtain a promotion, a
19 compensation or other benefit or an increase in
20 compensation or other benefit in employment or in
21 practice of a trade, profession or occupation;
22 obtain admission to an educational program in the
23 state or gain a position in government with
24 authority over another person regardless of whether

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1 the actor receives compensation for the position."

2 Do you see what I'm referring to?

3 A. Yes.

4 Q. And immediately after that, it says:

5 "Violation of this law is a Class B Misdemeanor."

6 Do you see what I'm referring to?

7 A. Yes.

8 Q. Now, if I look at the next twenty pages,
9 it lists various institutions to which they're
10 referring whose degrees are illegal to use in Texas,
11 true?

12 That's my only question. There's a long
13 list of institutions that they're referring to,
14 true?

15 A. Yes.

16 Q. They say their degrees are illegal to use
17 in Texas for the purposes listed under that section
18 of the Texas Penal Code, true?

19 A. Well, the comment just says "no
20 accreditation and no degree granting."

21 Q. But you understand that what they're
22 doing is they're giving you a list of places they're
23 saying are in violation of that statute, true?

24 A. That would be my understanding, yes.

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1 Q. And if I go to Page 10 of 20, it appears
2 that sixth from the top I find Kennedy Western
3 University, true?

4 A. Yes.

5 Q. It's listed as being in California and
6 Wyoming, true?

7 A. Yes.

8 Q. And then the comment is: "No
9 accreditation from a CB recognized accreditor. Name
10 changing to Warren National University," true?

11 A. Yes.

12 Q. Now, that's the same Warren that you
13 attended, true?

14 A. Yes.

15 Q. After reading this, are you concerned
16 that the two websites that we've talked about
17 might be in violation of the Texas Penal Code,
18 Section 32.52?

19 A. Not knowing the law, I would refer that
20 back to my legal counsel.

21 Q. So you don't think that by disseminating
22 through the internet via those two websites and
23 their claim that you have a Ph.D. from this
24 institution, you might be violating this Texas

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1 statute that prohibits the use of degrees from
2 unaccredited institutions for various purposes?

3 MS. HILL: Asked and answered.

4 MR. CHARYSH: Go ahead.

5 THE WITNESS: Can you explain the question?
6 I'm sorry.

7 MR. CHARYSH: Sure.

8 Read it, please.

9 (WHEREUPON, the record was read
10 as requested.)

11 BY THE WITNESS:

12 A. And I would refer that back to my legal
13 counsel.

14 BY MR. CHARYSH:

15 Q. But that's not my question. My question
16 is: After reading this, knowing that on two
17 websites you've described a Ph.D. from Warren, does
18 that cause you any concern that you might be
19 violating this law in Texas if someone accesses
20 those websites in Texas?

21 A. That could be, which is why I want to
22 talk to my legal counsel.

23 Q. Okay. Have you ever heard Warren
24 referred to as a diploma mill?

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1 A. No.

2 Q. Do you know that they were investigated
3 by the United States Congress?

4 A. No.

5 Q. Have you ever read any testimony by
6 people who attended Warren in front of Congress?

7 A. No.

8 Q. Do you know that there was litigation
9 against Warren because people could not get jobs
10 with their degrees?

11 A. No.

12 Q. Were you ever made aware of any of that
13 litigation?

14 A. No.

15 Q. Do you ever introduce yourself as doctor?

16 A. Yes.

17 Q. So you've gone to professional meetings
18 on various occasions and introduced yourself as
19 Dr. Carlson, true?

20 A. Yes.

21 Q. Do you think that that's a fair and
22 accurate representation if your Ph.D. is from a
23 place like Warren?

24 A. Yes, I did the work.